



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

DOD: 03/13/11	JAMIE STAR HAMILTON THOMAS, beneficiary, is Petitioner.		NEEDS/PROBLEMS/COMMENTS: CONTINUED FROM 06/24/14 Minute Order from 06/24/14 states: Ms. Thomas is appearing via CourtCall. Ms. Parker advises the Court that her office is no longer representing Ms. Thomas who at this time is representing herself. Ms. Thomas terminates her CourtCall appearance prior to the conclusion of today's hearing. The Court directs that a copy of the minute order be sent to Ms. Thomas. The Court will await further action from Ms. Thomas.
Cont. from 042214, 042914, 062414			
<input type="checkbox"/> Aff.Sub.Wit.			1. Need proof of personal service at least 5 days prior to the hearing (per Order on Ex Parte Petition) filed 04/14/14. Note: Proof of service filed 04/21/14 states that a copy of the Ex Parte Petition was personally served on Paul Pimentel, attorney for Gary Hamilton, on 04/17/14; and proof of service filed 06/19/14 states that all parties were served by mail and fax on 06/18/14.
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6. Gary filed a response to the Petition (the "Objection") stating that he had provided a trust accounting in October 2012 (the "Purported 2012 Accounting"). The Purported 2012 Accounting is not an accounting, but rather a list of assets of the Trust. The list includes two "missing items", namely gold coins worth \$245,000.00 and \$28,000.00 in cash.
7. Gary further admitted that he had purchased 20 acres in Fresno County (the "Fresno Property") from James O. Hamilton and given the Trust a promissory note for \$297,000.00 related to the purchase. Gary also gave the Trust a second promissory note for \$100,000.00. However, Gary admits that he never made a single payment on either note and now claims that he transferred the Fresno Property back to the Trust in lieu of making payments on the \$297,000.00 note.
8. Gary subsequently prepared an accounting dated 12/12/13 (the "Purported 2013 Accounting").
9. The Purported 2013 Accounting shows that the Trust holds a promissory note given by Wade to the Trust in the amount of \$25,000.00. Notwithstanding the fact that Wade owes money to the Trust, the Trust paid Wade \$1,000.00 a month from December 2011 through June 2013. Gary has marked these payments as repayments on loans Wade allegedly gave to the Trust. Moreover, the Purported 2013 Accounting does not show that Wade ever made any payments on the \$25,000.00 note he owed to the Trust.
10. In other words, Wade owed \$25,000.00 to the Trust; Wade paid approximately \$17,000.00 to the Trust; and yet the Trust then paid out approximately \$17,000.00 to Wade in payments of \$1,000.00 a month – the exact amount that should have been paid to the Petitioner.
11. Gary has chosen to characterize the payments to Wade as "loan repayment" from December 2011 – June 2013. However, the final "loan" shown on the Purported 2013 Accounting was allegedly given by Wade to the Trust on 06/21/13 – after the Trust had already "reimbursed" Wade for the alleged loan.
12. Although Gary as trustee holds title to over 600 acres of land in Oklahoma, he has not sold that property and has only collected \$10,000.00 in rent related to that property. Moreover, Gary has allegedly deeded the Fresno Property back to the Trust, but is not paying rent on the property and the Trust has no rental income from it (assuming that the Fresno Property was properly transferred to the Trust).
13. The Purported 2013 Accounting shows an estimated value for the Fresno Property of \$160,000.00. In other words, the Trust previously held a note for \$297,000.00 from Gary, and now only holds a property worth \$160,000.00 after Gary unilaterally transferred the Fresno Property to the Trust – a loss of \$137,000.00 to the Trust. Gary has attempted to get out of a bad land deal for himself personally by transferring the Fresno Property to the Trust, to the detriment of the beneficiaries of the Trust.
14. The Purported 2013 Accounting also shows that Wade owes the Trust under a promissory note in the amount of \$25,000.00, and that Cynthia Barton owes the Trust under a promissory note in the amount of \$30,000.00. Moreover, the Purported 2013 Accounting further shows that neither Wade nor Cynthia have made any payments to the Trust on either of those notes.
15. "A violation by the trustee of any duty that the trustee owes the beneficiary is a breach of trust" (Probate Code § 16400). A trustee has a duty to administer the trust according to the trust instrument. "The trustee has a duty to administer the trust solely in the interest of the beneficiaries". (*Id.* § 16002(a).) **Note:** Further authority provided in Petition.
16. Gary has violated numerous duties as trustee. Gary has refused to pay to the Petitioner the \$1,000.00 a month distributive payments she is owed under the terms of the Trust. At the same time, he has made \$1,000.00 a month payments to another beneficiary, Wade. Moreover, Gary has made the payments to Wade under the guise of "loan repayments," when in fact Wade owes money to the Trust and Gary's own accounting shows that Wade is not making payments on his debt.
17. Furthermore, Gary has engaged in self-dealing, insofar as he unilaterally chose to exchange a note worth \$297,000.00 that he owed to the Trust for a property worth \$160,000.00, a loss of \$137,000.00 to the Trust in favor of Gary.
18. Even though he has been trustee since 2011, Gary still has not sold the Oklahoma property in order to make the required payments to the Petitioner. Nonetheless, he has flown Wade to Oklahoma at the expense of the Trust and has paid Wade for unspecified "natural gas research".
19. Moreover, even though Gary identified \$245,000.00 in gold coins and \$28,000.00 as missing cash, Gary does not appear to have taken any steps to recover those assets for the Trust. Yet he continues to list these "assets" as assets of the Trust.

Continued on Page 3

20. Petitioner has filed a formal petition to remove Gary as trustee, to which he has objected. An evidentiary hearing is set for June 2014. In the meantime, however, Gary is not paying the Petitioner the amounts she is owed under the Trust and he is looking the other way while Wade and Cynthia Barton fail to make payments on the debt they owe to the Trust. He is not maximizing the income to the Trust for the benefits of its beneficiaries and has failed to sell the Oklahoma land in order to fulfill his duties.
21. Accordingly, the Petitioner respectfully asks the Court remove Gary on an interim basis pending the final hearing on the removal petition, and to appoint a neutral third-party to administer the Trust while the parties litigate the removal issues and the accounting issues.
22. Petitioner has spoken to Bruce Bickel, who has stated that he is willing and able to serve as an independent trustee pending the evidentiary hearing and the Court's final decision on the Petition.

Petitioner prays for an Order:

1. Suspending Gary's powers to act as trustee of the Trust pending a final resolution of the Petition;
2. Appointing Bruce Bickel, or another independent fiduciary as decided by the Court, as special trustee to serve as trustee until final resolution of the Petition;
3. For attorney's fees and costs;
4. For any and all other orders that the Court deems proper and just.

First Supplement to Ex Parte Petition to Remove Gary Hamilton as Trustee and Appoint Interim Trustee Pending Final Hearing filed 04/21/14 states:

1. Exigent circumstances exist to appoint an interim trustee while the petition to remove Gary Hamilton as trustee is pending. Although the Court has set a settlement conference for 05/12 and a hearing on the petition for 06/16, those dates will be changed. Counsel for Gary Hamilton, Joanne Sanoian, passed away in March after the dates were set. New counsel Paul Pimentel has substituted in as counsel for Gary Hamilton as of late April. Counsel have conferred and a stipulation will be prepared to continue the trial dates for 120 days to allow Mr. Pimentel to adequately prepare for the hearing.
2. In addition, since the original filing of the petition, Gary Hamilton has prepared an accounting for the trust. The accounting shows that Gary has distributed \$17,000.00 to Wade, even though Wade owed the trust \$25,000.00; and at the same time, Gary has not distributed any funds to petitioner Jamie Thomas. Gary is favoring other beneficiaries over Jamie Thomas.
3. Because Gary is not fulfilling his monthly duties to distribute funds to Jaime Thomas and because this matter will not go to hearing until September at the earliest, exigent circumstances exist that require Gary to be removed pending a final hearing on the removal petition.
4. Consent of Bruce Bickel to act as interim successor trustee is attached.

Declaration of Kurt Van Sciver Regarding Status on Ex Parte Petition to Remove Gary Hamilton as Trustee and Appoint Interim Trustee Pending Final Hearing filed 06/19/14 states: At the hearing on 04/29/14, the trustee, Gary Hamilton, indicated that he would begin paying the \$1,000.00 per month to Jamie Thomas, starting May 1. The trustee further stated, through counsel, that the Clovis property had been sold and the Oklahoma property had been listed. The trustee did not pay Jamie the \$1,000.00 on May 1. Contact was made with Mr. Hamilton's attorney alerting him of the non-payment and requesting copies of the closing statement and the Oklahoma listing agreement. Mr. Hamilton's attorney, Mr. Pimentel, indicated that Mr. Hamilton did not have the correct address for Jamie Thomas. Mr. Pimentel was provided with Ms. Thomas' address. Mr. Pimentel provided a copy of the closing statement for the Clovis property and the Oklahoma listing. As of this date, Jamie Thomas has not received the \$1,000.00 payment for May or June and continues to seek the removal of Gary Hamilton as Trustee during the pendency of this action. The trustee has forgiven a note to himself, constituting a conflict of interest. The Trustee has not collected payments on notes to the Trust from two beneficiaries. The trustee has paid money to another beneficiary, Joel Wade Hamilton, and has flown Wade out to Oklahoma using Trust money, thereby favoring one beneficiary over Jamie. Jamie has suffered and will continue to suffer harm if the trustee is not removed in the interim and a neutral, non-family member appointed to run the Trust until the Court's final decision.

Declarations of Gary Hamilton, Paul J. Pimentel, and Tiffany L. Winchell regarding status on Ex Parte Petition to Remove Gary Hamilton as Trustee and Appoint Interim Trustee Pending Final Hearing filed 06/23/14 states: On around the date of the last hearing (04/29/14) in which it was agreed that trustee Gary Hamilton would begin mailing Jamie Starr \$1,000.00 per month, Mr. Hamilton sent a check to Ms. Starr at the address listed on the Request for Special Notice that she has filed in this matter. In late May, the envelope was returned as undeliverable and upon inspection, it was discovered that Mr. Hamilton made an error in the address. Thereafter, he re-mailed the May check to the address listed on her Request for Special Notice. Approximately 1 week later, he also mailed the June payment to the same address. Neither of those two payments have been returned. On 06/19/14, Mr. Hamilton was provided with a new address for Ms. Starr and he mailed the May and June payments out to the new address that same day.

Amended Petition for Appointment of Limited Probate Conservator of the Person
(Prob. C. 1820, 1821)

Age: 18 years		<p>THERE IS NO TEMPORARY. No temporary was requested.</p> <p>MARY PEREZ and ALBERTO PEREZ, paternal grandparents, are petitioners and request appointment as limited conservators with medical consent powers.</p> <p>Declaration of Isabelo Artacho, M.D., 4/2/14.</p> <p>Voting Rights Affected.</p> <p>Petitioners state they have been the primary care providers for Alexis since she was young and became her guardian on 3/29/13. Alexis has a diagnosis of Autism and mentally handicapped. Alexis is unable to attend to her basic needs. She has very limited communication skills.</p> <p>Court Investigator Charlotte Bien's Report filed on 5/23/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Advised Rights on 5/14/14.</p> <p>Voting Rights Affected. Need minute order.</p> <ol style="list-style-type: none"> Petitioners are requesting a limited conservatorship however asking for all powers that would be included in a general conservatorship. In a limited conservatorship the powers of the conservator are limited so that the disabled person may live as independently as possible. It appears that a general conservatorship may be more appropriate. Court Investigator's report indicates the proposed conservatee has 7 siblings none of which were listed in the petition as required by Probate Code §1821(b) and there is no indication that the conservatee's siblings received notice of the hearing as required by Probate Code §1822. Need Video Viewing Receipt for proposed conservator Alberto Perez. Need Citation. Need proof of personal service of the Citation on proposed conservatee, Alexis Mary Mora. Need order and letters. 	
Cont. from 061014				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
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<input checked="" type="checkbox"/>	Notice of Hrg			W/
<input checked="" type="checkbox"/>	Aff.Mail			
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<input type="checkbox"/>	Pers.Serv.			
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<input type="checkbox"/>	Letters			X
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			X
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order			X
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<input type="checkbox"/>	Status Rpt			
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<input type="checkbox"/>	Citation	X		
<input type="checkbox"/>	FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 7/18/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5 - Mora</p>		

**Petition for Probate of Will and for Letters of Administration with Will Annexed;
Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

DOD: 4/19/14	KATHRYN V. BRYSON , daughter, is petitioner and requests appointment as Administrator with Will Annexed and without bond.	NEEDS/PROBLEMS/COMMENTS:
Cont. from	All heirs waive bond.	Note: If the petition is granted, status hearings will be set as follows:
<input checked="" type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Full IAEA – o.k.	<ul style="list-style-type: none"> Wednesday, January 7, 2015 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Wednesday, September 16, 2015 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.
Inventory	Will dated: 2/24/1996	
PTC		Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.
Not.Cred.	Residence: Clovis	
Notice of Hrg	Publication: Fresno Business Journal	
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input checked="" type="checkbox"/> Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
<input checked="" type="checkbox"/> Letters	Probate Referee: Steven Diebert	
<input checked="" type="checkbox"/> Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		Reviewed by: KT
UCCJEA		Reviewed on: 7/18/14
Citation		Updates:
FTB Notice		Recommendation: SUBMITTED
		File 6 – Bryson

DOD: 5/5/13		<p>GLEND A. BELLAMY, surviving spouse, is petitioner.</p> <p>No other proceedings</p> <p>Decedent died intestate.</p> <p>Petitioner states she and the decedent were married in 1976. All assets were acquired during the marriage from earnings of both spouses.</p> <p>Petitioner requests court confirmation that ½ interest in all bank accounts held at Bank of America in the name of the decedent belongs to her and that ½ passes to her.</p>	NEEDS/PROBLEMS/COMMENTS:	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
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<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
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<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: KT	
			Reviewed on: 7/18/14	
			Updates:	
			Recommendation: SUBMITTED	
			File 7 – Bellamy	

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution

DOD: 12/18/02	<p>FRANK T. RAMIREZ, was appointed Administrator with limited IAEA authority and without bond on 10/21/03. Letter were issued on 10/23/03.</p> <p>Inventory & Appraisal, final filed 12/10/03 - \$27,500.00</p> <p>Notice of Status Hearing filed 11/08/13 set this matter for hearing re: Failure to File a First Account or Petition for Final Distribution. Clerk's Certificate of Mailing states that the Notice of Status Hearing was mailed to attorney Bruce Kennedy and Administrator Frank Ramirez on 11/08/13.</p> <p>Third Status Report of Administrator filed 07/16/14 states:</p> <ol style="list-style-type: none"> 1. The decedent had held title to real property located on Brawley in Fresno in joint tenancy with her mother, Maria Ramirez. In 1965, Maria Ramirez died and decedent recorded an affidavit of death confirming title to her as Maria's surviving joint tenant. 2. In 1970, the decedent married Luciano Medina and in 2002, the decedent conveyed her separate property interest in the property to herself and her spouse as community property. 3. By her will dated 12/17/99, the decedent provided that her retained community property interest was to pass ½ to her surviving spouse and ½ to her sole surviving sister, Concepcion Ramirez. 4. The decedent was survived by nieces, nephews, grand-nieces, and grand-nephews of her four predeceased sisters, all of whom were given notice of the probate. 5. Luciano Medina died intestate and without a spouse or issue on 01/18/03. Prior to his death, he conveyed his community property interest in the property to his nephew, Luciano Medina Calixto by a deed dated 01/16/03 and recorded 01/21/03. <p align="center">Continued on Page 2</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 01/14/14</u></p> <ol style="list-style-type: none"> 1. Petitioner proposes to distribute the real property asset of the estate by way of an Affidavit Re Real Property of Small Value outside of the estate and then file a dismissal of the estate. However, the administration of this estate has been ongoing since 2003, a Final Inventory & Appraisal has been filed, Creditor's Claims have been filed, therefore an Accounting/Report on Waiver Account and Petition for Distribution is necessary to complete the estate administration and pass the estate assets to the beneficiary.
Cont. from 011414, 052314		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
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Sp.Ntc.		
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Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: JF</p> <p>Reviewed on: 07/18/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8 – Medina</p>	

6. On 01/18/05, Administrator filed a petition to rescind the gift of Nora of a community property interest to her spouse, Luciano Medina, and to cancel Luciano's subsequent conveyance to his nephew on the grounds of undue influence, fraud, and abuse of fiduciary relationship, seeking to determine title to the property.
7. On 02/10/06, a decision was rendered by Hon. Stephen J. Kane, finding that the conveyance by decedent's spouse to his nephew should be cancelled and the property restored to the Estate of Luciano Medina, and because the claim of the invalidity of the deed of the decedent to her spouse had been withdrawn, this decision yielded an undivided $\frac{3}{4}$ interest in the property to Luciano's estate and an undivided $\frac{1}{4}$ interest in the property in the decedent's estate.
8. Because the decedent's spouse, Luciano Medina, died intestate, unmarried and without surviving issue, his $\frac{3}{4}$ interest in the property which was derived from the separate and community property of his predeceased spouse, the decedent herein, passed to the surviving issue of the parents of decedent under Probate Code § 6402.5(a)(3) and 240.
9. Accordingly, Petitioner filed a petition in the estate of Luciano Medina to determine succession on the undivided $\frac{3}{4}$ interest in the property to the 12 heirs of the decedent entitled to succeed to this interest, resulting in an order establishing title in separate undivided interests in the property comprising $\frac{3}{4}$ interest in the property in the heirs of the decedent.
10. All of the heirs of decedent agreed to place their distributive shares into an irrevocable trust to be administered by Frank Ramirez (Administrator) as trustee, which trust was to become subject to the jurisdiction of this Court in the administration of the estate of the decedent.
11. The irrevocable trust provides that its beneficiaries will all bear, in proportion to their individual undivided interests in the property, the expenses of the litigation by which the deed by the Luciano Medina to his nephew was cancelled. The trust also provides that approval of attorney's fees and expenses shall be approved by this Court in the administration of the decedent's estate.
12. The only asset of the Estate is an undivided $\frac{1}{4}$ interest in the property.
13. The final Inventory & Appraisal of the estate was filed 12/10/03 showing the value of a $\frac{1}{2}$ undivided interest in the real property was \$27,500.00. A subsequent appraisal done in December 2010 showed a total value of the property to be \$40,000.00. Therefore, an undivided $\frac{1}{4}$ interest in the property would be valued at \$10,000.00. Administrator declares that such Inventory & Appraisal contains all of the assets of the estate.
14. The CA Dept. of Health Care Services holds a lien against the property in the amount of \$10,000.00 (without interest) to settle its claim against the estate of both the decedent and her spouse for Medical services rendered to them during their lifetimes.
15. All debts of the decedent and of the estate and all expenses of administration, including closing expenses, commission to the Administrator and his attorney remain to be paid. The estimated ordinary commissions and attorney's fees are \$400.00.
16. The Administrator has advanced costs in the amount of \$15,301.00 for litigation costs, property taxes, and property maintenance expenses for raising the building structures located on the property and the disposal of the debris.
17. Administrator's attorney, Bruce Francis Kennedy, has performed extraordinary services on behalf of the Administrator and the estate from 05/13/03 – 12/25/13. The total value of those services is \$78,251.60, which includes costs in the amount of \$81.60.
18. The Administrator has made no distributions from the estate.
19. By letter dated 03/20/14, Petitioner alerted all of the beneficiaries of the Trust that, because of the lien against the real property of the probate estate, and because of the expenses of litigation and the continued maintenance of the real property, there would in all likelihood be nothing in either the probate estate or trust estate available for distribution to the beneficiaries. None of the beneficiaries has communicated any objection to the Petitioner that would prevent him from taking the action that he has proposed to take to transfer title to the probate estate real property to its sole beneficiary, Concepcion Ramirez.

Continued on Page 3

20. In order to avoid further expenses of administration which would be incurred in connection with a sale of the real property by the Petitioner in the probate proceeding, Petitioner intends to file an Affidavit Re Real Property of Small Value to transfer title of the property to Concepcion Ramirez.
21. Following the completion of the transfer of title to the sole beneficiary of the estate, the real property will be sold with the cooperation of the Petitioner in his capacity as trustee of the Trust and the lien in favor of the California Department of Health Care Services will be paid in full. The balance of the sale proceeds, after the payment of brokerage commissions and the customary costs of escrow, title insurance, etc. will be distributed pursuant to agreement among the Petitioner, his attorney and the beneficiaries of the Trust.
22. Since the transfer of the only asset of the probate estate will leave the estate without any property, the Petitioner proposes to file a request for dismissal of the probate proceedings.

Administrator prays for an Order:

1. Authorizing the administration of the Estate to continue for an additional 30 days for the transfer of the real property of the estate by the Affidavit of Real Property of Small Value to the estate's sole beneficiary and the filing by Petitioner of a request for dismissal of the probate proceedings.

**Status Hearing Re: Account/Report of Executor on Waiver of Account
and Petition for Distribution**

DOD: 01/17/11	DEBORAH KAMINE , daughter, was appointed Executor with full IAEA authority and without bond on 05/12/11. Letter Testamentary were issued on 05/12/11.	NEEDS/PROBLEMS/COMMENTS: Continued from 05/23/2014 Minute Order from 04/18/2014: No appearances. Paul Franco is ordered to be personally present on 05/23/2014 if the required documents have not been filed. Copy of Minute Order mailed to Attorney Franco on 04/18/2014. Minute Order from 03/21/2014 states: No appearances. Paul Franco is ordered to be personally present on 04/18/2014 if the account and petition for distribution has not been filed. Copy of Minute Order mailed to Attorney Franco on 03/24/2014. Minute Order from 01/24/14 states: No appearances. Matter continued to 03/21/14. The Court orders Paul Franco to be personally present on 03/21/14. Copy of Minute Order mailed to Attorney Franco on 01/30/2014. 1. Need First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from 012414, 041814, 052314	Inventory & Appraisal, final, filed 10/11/13 - \$198,712.13	
Aff.Sub.Wit.		
Verified		
Inventory	Minute Order from status hearing on 10/25/13 set this matter for status regarding filing the Account/Report of Executor on Waiver of Account and Petition for Distribution.	
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
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Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 07/17/2014
		Updates:
		Recommendation:
		File 9 – Blankenship

DOD: 12/07/11 Cont. from 070814 <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 100px;">Aff.Sub.Wit.</td><td style="width: 50px;"></td></tr> <tr><td>Verified</td><td></td></tr> <tr><td>Inventory</td><td></td></tr> <tr><td>PTC</td><td></td></tr> <tr><td>Not.Cred.</td><td></td></tr> <tr><td>Notice of Hrg</td><td></td></tr> <tr><td>Aff.Mail</td><td></td></tr> <tr><td>Aff.Pub.</td><td></td></tr> <tr><td>Sp.Ntc.</td><td></td></tr> <tr><td>Pers.Serv.</td><td></td></tr> <tr><td>Conf. Screen</td><td></td></tr> <tr><td>Letters</td><td></td></tr> <tr><td>Duties/Supp</td><td></td></tr> <tr><td>Objections</td><td></td></tr> <tr><td>Video Receipt</td><td></td></tr> <tr><td>CI Report</td><td></td></tr> <tr><td>9202</td><td></td></tr> <tr><td>Order</td><td></td></tr> <tr><td>Aff. Posting</td><td></td></tr> <tr><td>Status Rpt</td><td></td></tr> <tr><td>UCCJEA</td><td></td></tr> <tr><td>Citation</td><td></td></tr> <tr><td>FTB Notice</td><td></td></tr> </table>	Aff.Sub.Wit.		Verified		Inventory		PTC		Not.Cred.		Notice of Hrg		Aff.Mail		Aff.Pub.		Sp.Ntc.		Pers.Serv.		Conf. Screen		Letters		Duties/Supp		Objections		Video Receipt		CI Report		9202		Order		Aff. Posting		Status Rpt		UCCJEA		Citation		FTB Notice		<p>GLORIA HAGOPIAN, was appointed successor administrator with bond set at \$10,000.00 and the remainder of funds to be placed into a blocked account on 05/27/14.</p> <p>Order to Deposit Money Into Blocked Account was filed 06/02/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 07/08/14</u> Minute Order from 07/08/14 states: Mr. Morris is appearing via CourtCall. Counsel reports that the bank will not provide a receipt for the blocked account until letters have been issued. The Court authorizes the Clerk's office to issue the letters. The Court orders that all funds be placed into the blocked account with the exception of \$5,000.00. The Court relieves the personal representative from the need for a bond.</p> <p style="margin-left: 40px;">1. Need Receipt and Acknowledgment of Order for the Deposit of Money into Blocked Account.</p>
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		Reviewed by: JF Reviewed on: 07/18/14 Updates: Recommendation: File 10 - Smart																																														

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 9/7/2012	<p>MICHELE R. CURLEY, Daughter, was appointed Administrator with Full IAEA with bond of \$30,000.00 on 11/7/2012. Letters issued 1/22/2013.</p> <p>Minute Order dated 11/8/2013 from the Status Hearing Re: Increase in Bond Based on the Value of the Estate as Shown on the Inventory and Appraisal continued the status hearing to 1/17/2014 for filing of an ex parte petition to increase the bond.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 5/23/2014.</u></p>
		<p>1. Need first account and/or petition for final distribution; or verified Status Report and proof of service of notice of the Status Hearing pursuant to Local Rule 7.5(B).</p>
Cont. from 011014, 011714, 032114, 052314	<p>Proof of Bond filed 1/14/2014 shows bond of \$14,000.00 was posted. Based on 1/22/2013 bond posted of \$30,000.00, the total bond is currently \$44,000.00.</p>	
Aff.Sub.Wit.	<p>Status Conference Statement filed 5/21/2014 for the last Status Hearing states:</p>	
Verified	<ul style="list-style-type: none"> The Inventory and Appraisal was filed on 10/15/2013 showing an estate value of \$110,367.38, with real property valued at \$60,000.00; 	
Inventory	<ul style="list-style-type: none"> The real property has been taken over by vandals; real estate professionals have indicated that sale proceeds will not be sufficient to cover selling costs and encumbrances; 	
Bond	<ul style="list-style-type: none"> The Administrator is currently preparing an accounting, including her own personal funds used toward estate administration; 	
Not.Cred.	<ul style="list-style-type: none"> Additionally, the Administrator has placed two vehicles in storage, and is in the process of selling them; 	
Notice of Hrg	<ul style="list-style-type: none"> A final report and petition to distribute the estate should be prepared after the vehicles are sold; 	
Aff.Mail	<ul style="list-style-type: none"> Therefore, the Administrator asks for an additional 6 weeks to resolve these remaining assets. 	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
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Status Rpt	X	
UCCJEA		
Citation		
FTB Notice		

Reviewed by: LEG
Reviewed on: 7/17/14
Updates:
Recommendation:
File 11 – Martinez

12 Fred Otto Loeffler (CONS/PE) Case No. 13CEPR00655
 Atty Downing, Marcella (for Diane Huerta – daughter)
 Atty Bagdasarian, Gary (for Linda Plitt – daughter)
 Atty Rube, Melvin K. (for Fred & Kathleen Loeffler – proposed conservatees)
 Atty Janisse, Ryan (for Mick Loeffler – son)
 Atty Johnson, Summer A. (for Bruce Bickel – temporary conservator of the estate)

Probate Status Hearing Re: Status of Conservatorship, Settlement of Case & Accounting of Temporary Conservatorship

	On 07/26/13, DIANE HUERTA and LINDA PLITT , daughters, filed a Petition for Appointment of Probate Conservator of the Person and Estate. On 07/29/13, the Court granted the Petition for Appointment of Temporary Conservator of the Person and Estate pending the hearing on the temporary conservatorship.	NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Matter continued to 09/17/14 per Minute Order from 07/15/14 hearing
Cont. from 070114		
Aff.Sub.Wit.		
Verified		
Inventory	Proposed Conservatee and Mick Loeffler, son, filed objections to the conservatorships.	
PTC		
Not.Cred.		
Notice of Hrg	On 08/19/13, after an evidentiary hearing, the court found that there was no emergency requiring a temporary conservatorship.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.	On 09/18/13, Judge Black set the matter for trial and after reviewing additional documents, took the matter of a temporary conservatorship under submission and on 09/25/13, signed an Order appointing Bruce Bickel as temporary conservator of the Estate.	
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections	In addition to the conservatorship petition, Diane and Linda also filed a Petition to Determine Validity of the Trust, etc. on 08/19/13. After a hearing in that matter, Bruce Bickel was appointed as temporary trustee of the Trust.	
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting	The parties participated in settlement conferences on 11/07/13, 01/07/14, 02/20/14 and 04/02/14 and participated in mediation with Judge Howard Broadman (ret.) on 05/17/14.	Reviewed by: JF
Status Rpt		Reviewed on: 07/18/14
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice	At mediation on 05/17/14, the parties reached and executed a settlement agreement. On 06/19/14, a Petition for Approval of Settlement Agreement was filed by Bruce Bickel and is set for hearing on 07/15/14 at 3:30 in Dept. 502.	File 12 – F. Loeffler

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Jenifer Age: 16		TEMPORARY EXPIRES 07/22/2014 CELIA RUIZ , paternal grandmother of Emilio, is petitioner. Father (of Emilio): JOSE E. QUIROZ Father (of Jenifer): MARCOS MENDOZA , Court Dispensed with Notice pursuant to Minute Order of 06/05/2014 Mother: ARALI V. DE HARO , Court Dispensed with Notice pursuant to Minute Order of 06/05/2014 Paternal Grandfather (of Emilio): Jose Ruiz, Jr. Paternal Grandparents (of Jenifer): Unknown Maternal Grandfather: Alberto Gonzalez Maternal Grandmother: Luz Maria De Haro Petitioner states: she and other family members are traveling out of the states to be with an ill family member and would like to take the children. Petitioner states that the mother is absent, she is homeless, addicted to drugs and associates with known felons. Jenifer's father is nowhere to be found. Emilio's father is incarcerated. Petitioner states that the children have been residing with her since they were 4 and 8 years old. Court Investigator Charlotte Bien's report filed 07/11/2014.	NEEDS/PROBLEMS/COMMENTS: Minute Order of 06/05/2014: Maria Ruiz is sworn and interprets for the petitioner. The Court dispenses with further notice to mother and Marcos Mendoza Finding that due diligence has been exercised. The guardian is authorized to take the children to Mexico temporarily. The children shall be returned to the County of Fresno by 07/15/2014. Note: The CI Report indicates that that the petitioner misspelled minor, Jenifer Mendoza's name on the petition. It is actually spelled with two N's. 1. Need Notice of Hearing. 2. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Jose E. Quiroz (father of Emilio) Jennifer Mendoza (Minor) 3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Jose Ruiz, Jr. (Paternal Grandfather of Emilio) Paternal Grandparents of Jenifer (Unknown) Alberto Gonzalez (Maternal Grandfather) Luz Maria De Haro (Maternal Grandmother) 4. Need Confidential Screening Form. 5. Need UCCJEA.
Emilio Age: 10			
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✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	x		
Aff.Mail	x		
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Pers.Serv.	x		
Conf. Screen	x		
✓ Letters			
✓ Duties/Supp			
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✓ CI Report			
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✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA	x		
Citation			
FTB Notice			
		Reviewed by: LV Reviewed on: 07/18/2014 Updates: Recommendation: File 14 – Ruiz & Mendoza	

Age: 12 Cont. from <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;"></td> <td style="width: 10%;">Aff.Sub.Wit.</td> <td style="width: 10%;"></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Verified</td> <td></td> </tr> <tr> <td></td> <td>Inventory</td> <td></td> </tr> <tr> <td></td> <td>PTC</td> <td></td> </tr> <tr> <td></td> <td>Not.Cred.</td> <td></td> </tr> <tr> <td></td> <td>Notice of Hrg</td> <td style="text-align: center;">x</td> </tr> <tr> <td></td> <td>Aff.Mail</td> <td style="text-align: center;">x</td> </tr> <tr> <td></td> <td>Aff.Pub.</td> <td></td> </tr> <tr> <td></td> <td>Sp.Ntc.</td> <td></td> </tr> <tr> <td></td> <td>Pers.Serv.</td> <td style="text-align: center;">x</td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Conf. Screen</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Letters</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Duties/Supp</td> <td></td> </tr> <tr> <td></td> <td>Objections</td> <td></td> </tr> <tr> <td></td> <td>Video Receipt</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>CI Report</td> <td></td> </tr> <tr> <td></td> <td>9202</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Order</td> <td></td> </tr> <tr> <td></td> <td>Aff. Posting</td> <td></td> </tr> <tr> <td></td> <td>Status Rpt</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>UCCJEA</td> <td></td> </tr> <tr> <td></td> <td>Citation</td> <td></td> </tr> <tr> <td></td> <td>FTB Notice</td> <td></td> </tr> </table>		Aff.Sub.Wit.		✓	Verified			Inventory			PTC			Not.Cred.			Notice of Hrg	x		Aff.Mail	x		Aff.Pub.			Sp.Ntc.			Pers.Serv.	x	✓	Conf. Screen		✓	Letters		✓	Duties/Supp			Objections			Video Receipt		✓	CI Report			9202		✓	Order			Aff. Posting			Status Rpt		✓	UCCJEA			Citation			FTB Notice		<p style="text-align: center;"><u>NO TEMPORARY REQUESTED</u></p> <p>ROSEMARY JONES, paternal grandmother, is petitioner.</p> <p>Father: OTIS LEE HUGHEY, Declaration of Due Diligence filed 05/21/2014</p> <p>Mother: ANGELA CANCEMILLAE HUGHEY, Declaration of Due Diligence filed 05/21/2014</p> <p>Paternal Grandfather: Deceased</p> <p>Maternal Grandfather: Joe Cancimillae Maternal Grandmother: Not Listed</p> <p>Petitioner states: guardianship is necessary due to sexual abuse in the home. She states there is nowhere for the child to go right now.</p> <p>Petitioner attaches a Team Decision Making Report from DSS-CPS which indicates that the child should be released to the petitioner's care.</p> <p>Court Investigator Jennifer L. Daniel's report filed 07/03/2014.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Need Notice of Hearing. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice for: <ul style="list-style-type: none"> • Otis Lee Hughey (Father) • Angela Cancimillae Hughey (Mother) <p>Note: A Declaration of Due Diligence was filed on 05/21/2014 which includes both parents and states that they moved out of state and will not revealed their whereabouts.</p> <ul style="list-style-type: none"> • Stephon W. Hughey (Minor) Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Joe Cancimillae (Maternal Grandfather) • Maternal Grandmother (Not Listed) UCCJEA is incomplete. Need minor's residence information for the past 5 years. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Reviewed by: LV</td> </tr> <tr> <td>Reviewed on: 07/18/2014</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 16 – Hughey</td> </tr> </table>	Reviewed by: LV	Reviewed on: 07/18/2014	Updates:	Recommendation:	File 16 – Hughey
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	TERRY and LINDA CHEEK , paternal grandparents, were appointed as guardians on 12-1-08.	NEEDS/PROBLEMS/COMMENTS: <u>NOTE: THIS MATTER WILL BE HEARD AT 10:00 AM.</u>																																																			
	TANIA CHEEK , mother, filed a petition for termination of the guardianship, which was denied on 7-24-13.																																																				
	On 7-24-13 , the Court referred the case to CPS to check on who is living in the home with the child and its safety. DSS Social Worker Keith Hodge was present in Court. Mr. Hodge was asked to submit a report to the Court and to the other parties. The Court ordered a marginal increase in visitation between the mother and the children and set a status hearing for 2-11-14.																																																				
	On 2-11-14 , the matter was set for trial on 3-24-14; however, on 3-11-14, Karen Mathis, attorney for Guardians, filed a Statement of Disqualification of Judge Robert Oliver. The trial date was vacated pending resolution of the motion for disqualification. On 4-1-14, Madera Superior Court Judge Charles A. Wieland denied the challenge/ disqualification. Judge Oliver thereafter filed an Answer and set a status hearing for 4-24-14 re: visitation for 4-24-14.																																																				
	On 4-23-14 , Attorneys Mathes and Ruiz filed a joint status statement requesting to vacate the status hearing and proceed pursuant to the Court's order of 3-18-14; however, the document was not filed timely and further was not filed as an ex parte request for order; therefore appearance was required at the hearing on 4-24-14.																																																				
	On 4-24-14 , there were no appearances. The Court set a status hearing as a courtesy to counsel to choose a hearing date for evidentiary hearing to accommodate all parties' calendars. The Order to Appear was mailed to the attorneys on 4-25-14.																																																				
	On 6-3-14, the Court set Settlement Conference for 6-24-14 and Court Trial for 9-30-14.																																																				
	Minute Order 6-24-14 (Settlement Conference): Both counsel are ordered to work together regarding the evaluation of Byron. Therapeutic visits shall continue and all prior orders shall remain in full force and effect. Further orders of the Court are as fully set forth on the record. Ms. Mathes is directed to prepare the order. Trial remains set for 9/30/14. Set on 7/23/14 @ 10:00 a.m. Dept. 303 for: Status Hearing																																																				
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